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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

de la Monte *et al.*

Appl. No.: 09/964,667

Filed: September 28, 2001

**For: Transgenic Animals and Cell Lines
for Screening Drugs Effective for
the Treatment or Prevention of
Alzheimer's Disease**

Confirmation No.: 3648

Art Unit: 1635

Examiner: McGarry, Sean

Atty. Docket: 0609.4370005/RWE/FRC

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences – Small Entity**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated September 9, 2004, in which claims 35-45 were finally or twice rejected.

The fee (for a small entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 41.20(b)(1)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is provided in the attached PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

02/09/2005 SDENBOB1 00000101 09964667

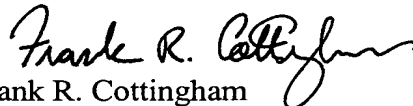
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


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Date: February 8, 2005

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